

By: Sheffield

H.B. No. 574

A BILL TO BE ENTITLED

AN ACT

relating to disclosure at a facility performing certain laser cosmetic procedures.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle G, Title 2, Health and Safety Code, is amended by adding Chapter 147 to read as follows:

CHAPTER 147. NONABLATIVE LASER AND PULSED LIGHT PROCEDURES

Sec. 147.001. SIGNED STATEMENT REQUIRED. Before a person may perform a nonablative laser or pulsed light cosmetic procedure, the person must require that each person for whom the procedure is to be performed sign a written statement:

(1) detailing the qualifications of the person performing the procedure;

(2) describing the availability of a physician, advanced practice nurse, or other person with medical training who is associated with the facility where the procedure is performed;

(3) stating whether the medical professional described by Subdivision (2) is at the facility or on call;

(4) providing contact information for the medical professional described by Subdivision (2); and

(5) detailing the risks associated with the procedure.

Sec. 147.002. SIGN REQUIRED. (a) A person performing a nonablative laser or pulsed light cosmetic procedure shall display a sign that discloses to prospective recipients of the procedure

1 whether a physician, in case of emergency or any complication:

2 (1) is employed at the facility where the procedure is
3 performed;

4 (2) has delegating powers to the facility; or

5 (3) is located within reasonable proximity to the
6 facility.

7 (b) The sign required by Subsection (a) must display the
8 contact information for the physician.

9 SECTION 2. The executive commissioner of the Health and
10 Human Services Commission shall adopt rules necessary to administer
11 Chapter 147, Health and Safety Code, as added by this Act.

12 SECTION 3. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2009.